

Update: Domestic Violence Benchbook (3rd ed)

CHAPTER 9

Statutory Firearms Restrictions in Domestic Violence Cases

9.6 Restrictions Upon Conviction of a Misdemeanor

B. Michigan Restrictions Following a Misdemeanor Conviction

Effective September 18, 2006, 2006 PA 350 amended the language of MCL 28.425b(7)(i). Replace the fifth bullet at the top of page 412 with the following language:

- ♦ Operating an ORV while visibly impaired, MCL 324.81135.

Effective September 18, 2006, 2006 PA 350 amended the language of MCL 28.425b(7)(h). Replace the bulleted list beginning at the bottom of page 412 and continuing through the top of page 414 with the following text:

- ♦ Failing to stop when involved in a personal injury accident, MCL 657.617a.
- ♦ Operating while intoxicated, second offense, MCL 257.625(9)(b).
- ♦ Drunk driving, commercial vehicle, MCL 257.625m.
- ♦ Reckless driving, MCL 257.626.
- ♦ Driving while license suspended or revoked, second or subsequent offense, MCL 257.904.
- ♦ Operating aircraft while under the influence of intoxicating liquor or a controlled substance with prior conviction, MCL 259.185.
- ♦ Hindering or obstructing certain persons performing official weights and measures duties, MCL 290.629.

- ♦ Hindering, obstructing, assaulting, or committing bodily injury upon director or authorized representative under the motor fuels quality act, MCL 290.650.
- ♦ Operating an ORV under the influence of intoxicating liquor or a controlled substance, second or subsequent offense, MCL 324.81134(5) or (6).
- ♦ Operating a snowmobile under the influence of intoxicating liquor or a controlled substance, punishable as a second or subsequent offense, MCL 324.82128(1)(b) or (c).
- ♦ Operating a vessel under the influence of intoxicating liquor or a controlled substance, second or subsequent offense, MCL 324.80177(1)(b).
- ♦ Knowingly or intentionally possessing a controlled substance, MCL 333.7403.
- ♦ Operating a locomotive while under the influence of intoxicating liquor or a controlled substance, or while visibly impaired, MCL 462.353(4).
- ♦ Displaying sexually explicit matter to minors, MCL 722.677.
- ♦ Assault or domestic assault, MCL 750.81.
- ♦ Aggravated assault or aggravated domestic assault, MCL 750.81a.
- ♦ Entering without breaking, MCL 750.115.
- ♦ Fourth-degree child abuse, MCL 750.136b.
- ♦ Accosting, enticing, or soliciting a child for immoral purposes, MCL 750.145a.
- ♦ Vulnerable adult abuse, MCL 750.145n.
- ♦ Solicitation to commit a felony, MCL 750.157b(3)(b).
- ♦ Impersonating a peace officer or medical examiner, MCL 750.215.
- ♦ Illegal sale of a firearm or ammunition, MCL 750.223.
- ♦ Illegal sale of a self-defense spray, MCL 750.224d.
- ♦ Sale or possession of a switchblade, MCL 750.226a.
- ♦ Improper transportation of a loaded firearm, MCL 750.227c.
- ♦ Failure to have a pistol inspected, MCL 750.228.
- ♦ Accepting a pistol in pawn, MCL 750.229.
- ♦ Failure to register the purchase of a firearm or a firearm component, MCL 750.232.
- ♦ Improperly obtaining a pistol, making a false statement on an application to purchase a pistol, or using false identification to purchase a pistol, MCL 750.232a.
- ♦ Intentionally aiming a firearm without malice, MCL 750.233.
- ♦ Intentionally discharging a firearm aimed without malice, MCL 750.234.
- ♦ Possessing a firearm on prohibited premises, MCL 750.234d.
- ♦ Brandishing a firearm in public, MCL 750.234e.

- ♦ Possession of a firearm by an individual less than 18 years of age, MCL 750.234f.
- ♦ Intentionally discharging a firearm aimed without malice causing injury, MCL 750.235.
- ♦ Parent of a minor who possessed a firearm in a weapon free school zone, MCL 750.235a.
- ♦ Setting a spring gun or other device, MCL 750.236.
- ♦ Possessing a firearm while under the influence of intoxicating liquor or a drug, MCL 750.237.
- ♦ Weapon free school zone violation, MCL 750.237a.
- ♦ Indecent exposure, MCL 750.335a.
- ♦ Stalking, MCL 750.411h.
- ♦ Reckless, careless, or negligent use of a firearm resulting in injury or death, MCL 752.861.
- ♦ Careless, reckless, or negligent use of a firearm resulting in property damage, MCL 752.862.
- ♦ Reckless discharge of a firearm, MCL 752.863a.
- ♦ A violation of a law of the United States, another state, or a local unit of government of this state or another state substantially corresponding to a violation described above.